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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO PROPERTY -- MUSEUM PROPERTY ACT

Introduced By: Representative Donald J.Lally

Date Introduced: February 26, 2014

Referred To: House Judiciary

(Secretary of State)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-44.1-1 of the General Laws in Chapter 34-44.1 entitled "The  
2 Rhode Island Museum Property Act" is hereby amended to read as follows:

3 **34-44.1-1. Definitions.** -- As used in this chapter, the following words and terms shall  
4 have the following meanings, unless the context indicates another or different meaning or intent:

5 (1) "Museum" means an organized and permanent nonprofit or public institution in  
6 Rhode Island operated by, or a division of, ~~of a~~ a nonprofit corporation, trust, association,  
7 educational institution, or public agency, ~~which that~~ is primarily educational, scientific, historic,  
8 or aesthetic in purpose, and ~~which that~~ owns, borrows, cares for, studies, archives, or exhibits  
9 property. Museums may include, but not be limited to, historical societies, parks, historic sites  
10 and monuments, archives, and libraries;

11 (2) "Property" means any tangible object in the possession of and under a museum's care  
12 that has intrinsic educational, scientific, historical, artistic, aesthetic, or cultural value, excluding  
13 the property of any agency or public body as defined in § 38-1-1.1;

14 (3) "Loan" or "loaned" means a deposit with a museum that:

15 (i) Title to the property is not transferred to the museum,

16 (ii) The loan agreement for such deposit does not include a provision that the museum  
17 acquire title at some time after such deposit is made; or

18 (iii) The loan agreement for such deposit includes an option for the museum to acquire  
19 title at some time after such deposit is made;

1           (4) "Lender" means a person (an individual, association, partnership, corporation, trust,  
2 estate, or other entity, excluding the property of any agency or public body as defined in § 38-1-  
3 1.1) whose name appears on the records of a museum as the person legally entitled to, or claiming  
4 to be legally entitled to, property held by the museum or, if such person is deceased, the legal  
5 heirs of such person.

6           (5) "Undocumented property" means property under a museum's care, excluding the  
7 property of any agency or public body as defined in § 38-1-1.1, whose ownership cannot be  
8 determined by reference to the museum's records, and for which the museum does not have a  
9 reasonable means of determining the owner.

10           (6) "Publication" means inclusion in the online publication of lists of abandoned  
11 property established pursuant to section 33-21.1-18.

12           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO PROPERTY -- MUSEUM PROPERTY ACT

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- 1           This act would exclude the property of any agency or public body from the provisions of
- 2 "The Rhode Island Museum Property Act."
- 3           This act would take effect upon passage.

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